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IN AND BEFORE THE

FEDERAL ELECTION COMMISSION

Friends of Jon Bruning, (C00433193) Treasurer,)) MUR 6449)	DERACE VE DERACHIST IN FEB 22 DFFICE OF
Respondent	,	AHII: 46 AHII: 46 AHII: 46 AHIII: 46

RESPONSE AND MOTION TO DISMISS COMPLAINT

Friends of Jon Bruning, C00433193, ("Bruning 2008") ("Respondent"), files this Response to the Complaint filed with the Federal Election Commission ("Commission") by Laura Wigley on behalf of the Nebraska Democratic Party ("the Complainant") alleging a violation of the Federal Election Campaign Act of 1971, as amended ("the Act"). Respondent affirmatively states that there has been no violation of the Act, as evidenced by the exhibits to the Complaint. There being no reason to believe that a violation has been committed by the Respondent, the Complaint should be dismissed.

It should be noted at the outset that the Complainant did not file a complaint against Bruning 2008. Rather, the complaint names as Respondents the "Bruning 2012 Exploratory Committee" and the "Jon Bruning Exploratory Committee". The Commission served Bruning 2008 and this response is filed on behalf of that entity.

The complaint sets forth no violation of the Act by Bruning 2008, or by its affiliated entities, the Jon Bruning Exploratory Committee ("Bruning Exploratory Account") or Bruning for Senate, Inc., as more fully described below.

In the testing the waters account established by Jon Bruning in December, 2007 was established as the Jon Bruning Exploratory Committee, referenced herein as the "Bruning Exploratory Account". An operating account for the testing the waters effort was opened in November, 2010. The testing the waters effort / account is now formally filed as Bruning for Senate, Inc., the principle authorized committee of Jon C. Bruning, candidate for the United States Senate from Nebraska in the 2012 election.

STATEMENT OF FACTS

The following are the facts of this matter:

- 1. Respondent Friends of Jon Bruning, C00433193, (Bruning 2008), filed its Statement of Organization on March 14, 2007, as an exploratory committee. See Existinit #1, Statement of Organization for Bruning 2008.
- 2. On June 13, 2007, Jon Bruning filed his Statement of Candidacy for the 2008 United States Senate seat from Nebraska. See Exhibit #2, Form 2, Statement of Candidacy.
- 3. On June 12, 2007, the Bruning 2008 Exploratory Committee amended its Statement of Organization to become a candidate committee. Thereafter, Bruning 2008 was the principal mithorized campaign committee of Jon Bruning. See Exhibit #3, Amonded Form 1, Statement of Organization of Bruning 2008.
- Bruning 2008 reported to the Commission pursuant to 2 U.S.C. §434 and 11 C.F.R.
 §§104.3 and 104.5. See Exhibit #4, Index to Reports of Friends of Jon Bruning (Bruning 2008).
- 5. On or about November 19, 2007, Jon Bruning determined that he would not, after all, be a candidate for the United States Senate in 2008. See Exhibit #5, Affidavit of Jon Bruning.
- 6. During the time period of his contamplated and actual candidacy during 2007, Mr. Bruning raised \$1,017,484 in contributions, of which \$827,384 was contributed for the 2008 primary election and \$190,100 was contributed for the 2008 general election. All receipts and disbursements related to his 2008 candidacy were stuly reported to the Commission as required by law. See Exhibit #4, Index to Reports of Friends of Jon Bruning (Bruning 2008).

- 7. In December 2007, Mr. Bruning sought professional legal advice from an expert in federal campaign finance law (a former member and Chairman of the Federal Election Commission), asking how to handle the winding down of the affairs of the 2008 committee in such a manner us to maintain the publicly disclosed hard-dollar funds contributed to his aborted 2008 compaign für a potential future federal campaign. See Exhibit #5, Affidavit of Jon Bruning.
- 8. Counsel provided expert guidance to Mr. Bruning regarding the steps to follow insofar as how to handle the funds raised in 2007 and how to proceed with respect to a future potential federal candidacy, at that point unspecified. Specifically, Mr. Bruning was advised to take the following steps:
 - Create a new bank account to serve as a 'testing the waters' ("TTW")
 account for a future federal election;
 - Transfer the Primary 2008 fumis from Bruning 2008 to the TTW account;
 - Send letters to all 2008 general election denors notifying them of their right to a refund or, in the alternative, seeking their redesignation of their 2008 General election contribution to the TTW account for a possible future federal election;
 - Notify the FEC of the intentions regarding these actions; and
 - Terminate the Bruning 2008 Committee.

See Exhibit #5, Affidavit of Jon Bruning

9. Relying on the step by step outline from his counsel at the time, Mr. Bruning's duly appointed campaign reporting officers established the Jon Bruning Exploratory Committee ("Bruning Exploratory Account") on December 7, 2007, in accordance with the regulations of the Commission governing testing the waters. The only difference was that, in this case, all funds deposited into the Bruning Explosatory Account had already been reported to the Commission by Bruning 2008. See Exhibit #4, Index to FEC Reports of Friends of Jon Bruning (Bruning 2008) and Exhibit #6, Affidavit of Mark Pedersen, Assistant Treasurer, Bruning 2008 and Bruning for Senate, Inc.

- 10. On January 29, 2008, Bruning 2008 notified the Commission by letter describing exactly how it was proceeding with respect to the termination of Bruning 2008 and the disposition of the excess funds by transfer to the Jon Bruning Exploratory Committee, a testing the waters account ("Bruning Exploratory Account"). See Exhibit #7, Letter to FEC from Douglas Ayer, Treasurer
- 11. The Commission terminated Bruning 2008 on February 19, 2008. See Exhibit #8, Notice of Termination of Friends of Jon Bruning (Bruning 2008).
- 12. Bruning 2008 reported to the Commission that on December 31, 2007, it had transferred \$677,251.49 to the Jon Bruning Exploratory Committee. See Exhibit #9, pp. 1, 2, 4 and 75, Bruning 2008 Termination / Year-End 2007 Report.
- 13. There were no additional contributions to the Bruning Exploratory Account from and after the date it was established on December 7, 2007 until November 5, 2010. The only receipts into the Bruning Exploratory Account during this period were bank interest. See Exhibit #6, Affidavit of Mark Pedersen.
- 14. The amount transferred to the Bruning Exploratory Account consisted solely of federally regulated funds remaining from the 2008 Primary election and 2008 General Election contributions from donors who redesignated their contributions to the Bruning Exploratory Account. All contributions to the Bruning Exploratory Account were publicly disclosed and reported to the Commission. See Exhibit #6, Affidavit of Mark Pedersen.
- 15. Bruning 2008 refunded \$22,800 in General Election 2008 contributions to donors requesting refunds as reported to the Commission in its 2007 Year-End / Termination report. See Exhibit #10, Bruning 2008 Termination / Year-End 2007 Report, pages 1-2, 4, 76-80.

- 16. All funds transferred from Bruning 2008 to the Bruning Exploratory Account were hard dollar contributions, all of which was disclosed to the Federal Election Commission over multiple reports. See Exhibit #5, Affidavit of Jon Bruning, Exhibit #6, Affidavit of Mark Pedersen, Exhibit #4, Index to FEC Reports of Friends of Jon Bruning (Bruning 2008).
- 17. Mr. Bruning initiated testing the waters activities for the 2012 election on Nov 5, 2010.

 See Exhibit # 5, Affidavit of Jon Bruning.
- 18. A new operating account (2012 Exploratory Account) for testing the waters activities was opened on November 5, 2010 and funds from the Bruning Exploratory Account were transferred to this checking account. See Exhibit #6, Affidavit of Mark Pedersen.
- 19. The amounts transferred into the 2012 Exploratory operating account consisted of \$448, 349.52 in funds remaining from the 2008 Primary election, plus accumulated interest. All contributions had been previously reported to the FEC. See Exhibit #6, Affidavit of Mark Pedersen
- 20. On December 17, 2010, Bruning Exploratory Account transferred \$162,383.24 to the 2012 Exploratory operating account, consisting of funds contributed to the 2008 General Election which had been redesignated to the Bruning Exploratory Account and the additional interest from November and December 2010. All contributions had been previously disclosed to the FEC in reports filed by Bruning 2008. See Exhibit #6, Affidavit of Mark Pedersen.
- 21. On January 6, 2011, Mr. Bruning filed his Form 2, Statement of Candidacy for the 2012 United States Senate seat from Nebraska. See Exhibit #11, Statement of Candidacy of Jon C. Bruning.
- 22. Mr. Bruning's final decision to seek election to the United States Senate in 2012 was contemporaneous with the filing of his January 6, 2011 Form 2, Statement of Candidacy. See Exhibit #5, Affidavit of Jon Bruning.

- 23. On January 6, 2012, Mr. Pedersen filed the Form 1, Statement of Organization for the Bruning for Senate Committee, Inc., the principal authorized committee of Jon C.

 Bruning, candidate for the United States Senate from Nebraska. See Exhibit #12, Form 1, Bruning for Senate, Inc.
- 24. The first filing for Bruning for Senate, Inc. will be the April 2011 Quarterly Report, which will reflect the funds from the Bruning Exploratory / TTW Account which have all been previously reported to the FEC, interest earned on the TTW account and any and all new receipts and disbursements since the 2012 testing the waters activities commenced on November 5, 2010.

LEGAL ARGUMENTS IN SUPPORT OF MOTION TO DISMISS

Applying the Federal Election Campaign Act of 1971, as amended ("the Act") to the facts set forth above, there is no reason to believe that a violation of the Act has been committed by Respondent or any of its affiliated entities.

T.

The Bruning Exploratory Account was established as a "Testing The Waters" account, authorized by Jon Bruning and operated in accordance with 11 C.F.R. §100.72.

The Jon Bruning Exploratory Committee ("Bruning Exploratory Account") was established in Desember, 2007 as a testing the waters account, authorized by Mr. Bruning for the purpose of exploring a possible future federal candidacy. The funds were transferred from Bruning 2008 to the Bruning Exploratory Account for that purpose, and consisted of two 'types' of funds:

- Rixeess funds (after campaign expenses) from contributions to the 2008 Primary election,
- Contributions to the 2008 General Election, which were redesignated by the donors to the Bruning Exploratory Account.

All of the funds transferred to the testing the waters account had been received from permissible sources as defined by 2 U.S.C. §§441a (A)(1) and (2)(a) during the 2007 period in which Mr. Bruning was considering and then seeking the Senate seat from Nebraska.

All of the funds transferred to the testing the waters account were from contributions reported to the PEC-by Bruning 2008 pursuant to 2 U.S.C. §§434(b)(2)and (3).

Denote to the 2008 General Election were notified by letter of the requirement that their contributions to the 2008 General Election could either be refunded to them or, alternatively, that the donors would be parasitted to redesignate their contributions in writing to the Bruning Exploratory Account. Those donors requesting refunds received them.

The redesignation letters were sent to donors on or about December 12, 2007, in keeping with the procedures outlined in FEC Advisory Opinion 1992-15. In that opinion, the Commission allowed a congressional candidate who had lost the primary to send redesignation letters to general election donors, even though the letters were sent after the expiration of the timeframe for refunding contributions not redesignated within sixty (60) days when the candidate was not a candidate in the general election. "It is not until the results of the primary election are announced that the treatment has accord native of the next to obtain redesignations to the extent permissible for the primary, obtain redesignations for the next election, or refund the contribution. Up until the primary date, such contributions could be made and retained, subject to the conditions of 11 C.F.R. §102.9(e)." See AO 1992-15.

Similarly, in this situation, the treasurer of Bruning 2008 had no notice of the requirement to obtain written redesignations of 2008 General Election contributions until November 19, 2007, when Mr. Bruning announced his decision not to seek the United States Senate seat from Nebraska in 2008. Following the Commission's guidance in AO 1992-15, Bruning 2008 sent redesignation letters to all 2008 General Election donors within thirty (30) days following the November announcement that Mr. Bruning's candidacy had been suspended. A copy of the redesignation letter is attached to this filing. See Exhibit #13, December 12, Letter to Bruning 2008 General Election Donors and Exhibit #14, Sample Resissignation Form for 2008 General Election Donors.

The FEC was apprised of the procedures being followed by Bruning 2008 in establishing an emploratory / tutting the watern instruction and should be estopped from new penalizing Friends of dan Bruning and/or its affiliated entities for sam insularment or technical errors

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Bruning 2008 took alf reasonable steps to fully advise the FEC and the public of the establishment of the Bruning Exploratory Account and that it was trunsferring furnis from Braning 2008 to the now testing the waters account.

Respondent has provided two exhibits reflecting the public filings and notices to the Commission of the actions being taken with respect to the funds contributed to Bruning 2008:

- Exhibit # 9, Page 79, 2007 Year End Report of Friends of Jon Bruning shows clearly on Schedule B of Itemized Disbursements a "Transfer to Authorized Committee", identified as the Jon Bruning Exploratory Committee, PO Box 84614, Lincoln, NE, in the amount of \$677,251.49.
- Exhibit #7, January 29, 2008 from Douglas Ayer, a letter to the Commission advising that "Funds designated by contributors for the Primary election were transferred to an exploratory committee for a future election and fands designated for the General election were either refunded to the contributor, or, if the contributor requested in writing, redesignated to the exploratory committee for a future election."

One month after the filing of the Termination Report and the receipt by the FEC of the letter referenced above, the Commission terminated Friends of Jon Bruning, (Bruning 2008). Every step taken by Bruning 2008 with respect to funds remaining from the 2008 Primary and General Elections has been in accordance with applicable FEC regulations, discussions with the FEC, advice of legal counsel and with full disclosure to the Commission.

If the process established by Bruning 2008 was incorrect or somehow flawed, then Bruning 2008 should have been saivised by the FEC of that fact then.

While the general rule is that equitable assupped is not applicable against the government regardless of the actions of its agents, that rule is not without exception. Courts have recognized that equitable estopped is appropriate under certain limited circumstances as applied to agencies of the government. Several factors giving rise to estopped are present in this case: "(1) a misrepresentation by an agent of the United States acting within the apparent scope of his duties;

(2) the absence of contrary knowledge by the taxpayer in circumstances where he may reasonably act in reliance; (3) actual reliance; (4) detriment; and (5) a factual context in which the absence of equitable relief would be unconscionable." See Tonkonogy v. United States of America, 417 F. Supp. 78 (S.D. N. Y., 1976), (internal citations omitted).

The FEC accepted the Termination of Bruning 2008 after having been fully advised of the transfer of funds to the Jen Bruning Exploratory Committee. The FEC's accoptance was relied upon by Mr. Bruning and Bruning Exploratory Account officers, who fully believed the FEC had blessed through its actions the process put in place three years ago.

Bruning 2008, Jon Bruning Exploratory Committee and Bruning for Senate, Inc. cannot and should not now be penalized for doing exactly what they were advised to do in 2007, which was fully disclosed to and, apparently, accepted by the Commission. The Commission should be estopped from pursuing the spurious claims of Mr. Bruning's political opponents after having accepted the very actions of which those opponents now complain.

IV.

All funds transferred to the Bruning Exploratory Account were from contributions reported to the FEC by Bruning 2008 as required by 2 U.S.C. §434 and the regulations of the Commission

The entire amount transferred to the Jon Bruning Exploratory Committee were dollars reported to the FEC during 2007 on the Bruning 2008 Committee's July and October Quarterly Reports, and its Year End 2007 / Termination Report. No contributions were received from any source not previously reported to the FEC.

No contributions from impermissible sources and no excessive contributions were received by Bruning 2008 as evidenced from the Committee's FEC reports. The allegations in the complaint that there are funds in the Bruning Exploratory Account that were 'not disclosed' are false; every contribution from each dumm was timely disclosed to the FEC in 2007 and 2008, and is a matter of public record.

All contributions and disbursements since the commencement of the 2012 testing the waters activities on Nevember 5, 2010 well be duly reported on the April 2011 Quarterly Report of Bruning for Sensie, Inc.

Bruning for Senate, Inc. filed its Statement of Organization on January 6, 2011. Mr. Bruning filed his Statement of Candidacy on January 6, 2011 pursuant to 11 C.F.R. §100.3(a) and designated Bruning for Sessete, Inc. at his principal authorized committee. See 11 C.F.R. §101.1(a). Recentis of all funds received and expenditures made by the testing the waters account since Mr. Bruning's pre-candidacy activities recommenced on November 5, 2010 have been recorded and will be reflected on the first Bruning for Senate, Inc. FEC report due to be filed on April 15, 2011, as required by 11 C.F.R. §101.3.

No impermissible contributions or contributions from prohibited sources have been received by Bruning Exploratory Account or Bruning for Senate, Inc., as will be evidenced by the April 2011 Quarterly Report of Bruning for Senate, Inc.

CONCLUSION

There is no reason to believe that Friends of Jon Bruning, C00433193, the Jon Bruning Exploratory Committee, Bruning for Senate, Inc. or Jon Bruning have violated the Act. All contributions received by the Bruning Exploratory Account from the 2008 election cycle have been fully disclosed to the FEC, and all testing the waters receipts, contributions and expenditures will be duly reported on the first FEC report required to be filed by Bruning for Senate, Inc. on April 15, 2011.

The process followed by Bruning 2008 in terminating and transferring its balance of excess funds from the 2908 election cycle was designed upon advice of legal counsel and with full disaclosume to and acceptance by the Commission at the time.

For those reasons, the Commission should dismiss the complaint and find that there is no reason to believe that the Respondent (or any of its affiliated entities) have violated the Act.

Respectfully Submitted,

Cleta Mitchell, Esq. Foley & Lardner LLP 3000 K Street, NW #500 Washington, DC 20007 (202) 295-4081 (202) 672-5399 (facsimile)

Counsel for Respondent Friends of Jon Bruning C00433193, Treasurer

Submitted this 22 day of February, 2011

Office of General Counsel Federal Election Commission 999 E Street, NW Washington, D.C. 20463 ر بید د ابند د

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Friends of Jon Bruning PO Box 540013 Omaha, NE 68154 SECRETARY OF THE SENATE OT MAR 19 AM 10: 49

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March 15, 2007

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Secretary of the Senate
Office of Public Records
232 Hart Senate Office Building
Washington, DC 20510-7116

Madam Secretary:

Enclosed is FEC Form 1, Statement of Organization for the "Friends of Jon Bruning" Senate Exploratory Committee.

Also enclosed is a self-addressed return envelope for your use in returning a stamped copy of the form.

If you have any questions, pieces contact are at 402-438-2400.

Sincerely,

Mark Pedersen Assistant Treasurer

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SECRETARY OF THE SENATE

FEC FORM 2 STATEMENT OF CANDIDACY

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Friends of Jon Bruning PO Box 540013 Omaha, NE 68154 SECRETARY OF THE SENATE 07 JUN 19 PM 2: 08

June 12, 2007

Secretary of the Senate
Office of Public Records
232 Hart Senate Office Building
Washington, DC 20510-7116

Madam Secretary:

Enclosed is the amended FEC Form 1 Statement of Organization for the "Friends of Jon Bruning" Senate Exploratory Committee. This amended form reflects the change from an exploratory committee to a candidate committee on June 7, 2007.

Also included is the completed FEC Form 2 Statement of Candidacy.

If you have any questions, please contact me at 402.438.2400.

Sincerely,

Mark Pedersen Assistant Treasurer nddin i gengin i gan

STATEMENT OF

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Information below: Name of Candidate Party Affiliation REP Coffice Sought: House Senate President District This committee supports/opposes only ere candidate, and is NOT an authorized committee. Name of Candidate (d) This committee is a separate segregated fund. (f) This committee is a separate segregated fund. (f) This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. Name of Any Cannected Organization or Affiliated Committee None of Any Cannected Organization or Affiliated Committee		(a)		This commi	llee is a pri	ncipal camp	seign committee. (C	complete the can	didete Inform	 Bilişin 'below.)		
Candidate Perty Affiliation REP Sought House Senate President District		(b)				i. Uliverizied isc	omviditoo, and lei N	OT a principal te	mining com	hitter, (Comp	late the establish	•
Perty Affiliation Sought				Uod	Bec	Por Try	6					لب
Name of Candidate (d) This committee is a				n Re	P		House	Sensi	· . 🗖	President	Ī	E
(d) This committee is a consultate of the Committee of the Republican, etc.) Party. (e) This committee is a separate segregated fund. (f) This committee sugmaria/opposes more than one Federal candidate, and is NOT a separate segregated fund or sarty committee. 8. Name of Any Connected Organization or Affiliated Committee Modifing Address		(c)		This commi	ltee support	s/opposes (only one candidate	, and is NOT an	authoriz ad c	ommiltee.		
(d) This committee is a				1								1
(d) This committee is a constituent of the Republican, etc.) Party. (e) This committee is a separate segregated fund. (f) This committee suggested fund on party committee. Republican, etc.) Party. Republican, etc.) Party.				<u> </u>	#4 <u></u>		"I (National St	ata				س
This committee suggestie/opposes more than one Federal candidate, and is NOT a separate segregated fund or sarty committee. 8. Name of Any Connected Organization or Affiliated Committee Monitor Address		(d)	0	This commi	ttee is a	L			the			Party.
8. Name of Any Connected Organization or Affiliated Committee None Connected Organization or Affiliated Committee			n		,		_					
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FEC Form 1 (Revised Vitte or Type Committee Nam				Page 3
FRIENDS OF	DN BRUNING	•		
	entify by name, address (phone numb		of the person l	n possession of committe
Full Name MAE	K PEDERSIEN			
Melling Address	POLIBOX 5400	<u>1,3</u>		
•			بيبي	
•	lanaha		NE 6	<u> </u>
Title or Position▼	CITY ▲	8	STATE A	ZIP CODE A
ASSTU TIRE	A SIVIRER	Telephone numb	- <u>402</u>	-14361-240
Treseurer: List the name any designated agent (e.g.	and address (phone number — option , assistant treasurer).	al) of the treasurer of the (committee; and t	he name and address o
Full Name of Tressurer District	restantis day ER		1111	
Mailing Address	Poublox, 5406	1,3		шиши
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	D.M.A.M.A.	لتبيينا	NE 6	البكيا-لي
Title or Position¥	CITY A	:	STATE A	ZIP CODE A
Tireasivirei	لسسسس	Telephone numi	m Hori	- K1381-12140
Full Name of Designated Agent MAIR	ik Pedersen			
Mailing Address	PA BOX 5406	<u> 1.3</u>		<u></u>
	سسسسس			
	DINAHA:	ليبيين	INE IS	8454-LL
	CITY A		STATE A	ZIP GODE A
Title or Position Y	•			

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FEC Form 1 (Rev	rised (02/2003)		Page 4
Banks or Other Depo- safety deposit boxes or Name of Banks Bapost	•	mmilliee deposits func	le, holds accounts, rents
<u>lea</u>	MNACLE BANK	1.1.1.1.1.1	
Mailing Address	LIBLISH WEST DODGE	ROIAID	
			
	DANAHA	l me i	61814514 - L
	CITY A	STATE A	ZIP CODE A
Name of Bank, Deposi	Hory, etc.		
لبا			
Mailing Address	 		
	 	<u> </u>	
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	CITY A	STATE A	ZIP CODE A

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HOME / CAMPAIGN FINANCE REPORTS AND DATA / REPORT IMAGE SEARCH / REPORTS IMAGE INDEX

Reports Image Index for Committee ID: C00433193

FEC HOME NEW SEARCH NEW ADVANCED SEARCH

FRIENDS OF JON BRUNING

PO BOX 84614 LINCOLN, NE 68501

Tressurer Name:

DOUGLAS AYER

mittee Designatión: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE)

Committee Type: Candidate State:

S (SENATE) NE (Nebraska)

CANDEDATE:

BRUNING, JON C ID: S8NE00091

Condidate listings may appear here as a result of draft committees or independent expenditure committees registering with the FEC. If no official documents of an authorized committee appear below, the individual identified here has taken no action to become a candidate.

Click <u>bare</u> If yo NOTE: Imagas : Reader.	Secure expor-						
			Year 2008				
Document Filed	Amended	Filed On	From Date	End Date	Pages	Display Report Page By Page	Dispisy Full Report
TERMINATION APPROVAL	·	02/19/2008			2	28039640574	PDE
			Year 2007	اد النظامي والجماعة (ا		— بدر سبی بر در -	
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STATEMENT OF ORGANIZATION		03/14/2007			8	27020103387	POF
STATEMENT OF ORGANIZATION	AMEND	05/13 /2 007			8	2702019067	PDT
JULY QUARTERLY		07/12/2007	03/15/2007	06/30/2007	200	27020240727	PDF
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JULY QUARTERLY	AMEND	12/13/2007	03/15/2007	06/30/2007	4	27020400784	PDF
REQUEST FOR ADDITIONAL INFORMATION		09/18/2007	63/15/2007	06/30/2207	3	2203952203 7	PDE
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OCTOBER QUARTERLY		10/11/2007	07/01/2007	09/30/2007	134	27020383077	PDF
OCTOBER QUARTERLY	AMEND	10/11/2007	47/01111007	09/30/0007	·	NU PO354063	PCE
TERMINATION REPORT		01/29/2008	10/01/2007	12/31/2007	84	28020053835	20£

FEC HOME NEW SEARCH NEW AGYANCED SEARCH

BRUNING

www.jonbruning.com

UNITED STATES SENATE

P.O. Box 84614 Lincoln, NE 68501-4614 • 402-438-2400

Mr. Travis Brown
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

RE: Friends of Jon Bruning, FEC #C00433193

Dear Mr. Brusen:

Please find enclosed the final report closing out the Friends of Jon Bruning candidate committee as of December 31, 2007. Mr. Bruning publicly withdrew from the Nebraska Senate race and ended his candidacy on November 21, 2007.

In accordance with 2 U.S.C. 439(d)(1), the committee will no longer receive any contributions or make any disburgances that would otherwise qualify it as a political committee. The committee has no outstanding debts or obligations.

The committee has no residual funds or non-orth assets remaining. Funds designated by contribution for the Primary elaction were transferred to an exploratory examittee for a future election and funds designated for the General election were either refunded to the contributor, or, if the contributor requested in writing, redesignated to the exploratory committee for a future election. No non-cash assets have been converted to personal use.

In sum, please consider the Friends of Jon Bruning Committee closed as of December 31, 2007.

Sincerely.

Mr. Douglas Ayer

Treasurer

Friends of Jon Bruning

2803964057

J.



MS-K

FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

February 19, 2008

Douglas Ayer, Treasurer Friends of Jon Bruning P.O. Box 84614 Licolin, NE 68501

Identification Number: C00433193

Reference: Termination Report (10/1/07 -- 12/31/07)

Dear Treasurer:

Your committee's filing has been accepted as a termination. Your committee is no longer required to file reports on a periodic basis. If your committee has any remaining debts or residual funds, you are still responsible for settling all outstanding obligations and/or disposing of any residual funds. (11 CFR § 162.3(a)(1)) In addition, 2 U.S.C. § 432(d) and Sections 102.2(c) and 106.14(b)(3) of the Commission's Regulations required that you maintain your remords and appears of reports for inspectation (3) yours. You may also be required to respond to Commission sequents for information regulation your committee's federal election activity and previously filed reports.

If your committee again becomes active in federal elections, it will be required to re-register with the Commission in accordance with the Federal Election Campaign Act and applicable Regulations. Your committee will be treated as a new entity by the Commission and should register as a new committee on FEC FORM 1, pursuant to 2 U.S.C. §§ 432(g) and 433(a).

If you have any questions concurring your teaths and requirements, please contact the Reports mealysis Dinision on the milifree number, (800) 424-9530 (at the prompt press 5 to reach the Reports Amelysis Division). My local number is (202) 694-1175.

Sincerely,

Travis F. Brown

Senior Campaign Finance Analyst

Reports Analysis Division

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REPORT OF RECEIPTS

SECKLIATION	LI E SENATE
Ju FEB -4	AH 11: 32

FEC FORM 3		BURSEM		OU FEB -4 AM	1): 32 e Use Only
1. NAME OF COMMITTEE (In	USE FEC MAIL! (vii) OR TYPE OR PI	NG LABEL Exam	ple:if typing, type the lines	j	77
Friends of Jon Br					
ADDRESS (number a	and street) PO Box 846	14		· · · · · · · · ·	
Check if dil than previo reported. (/	ferent Lilianus				,88501 1 1 , , ,)
	ATION NUMBER	CMY.▲		STATE	ZIP CODE A
C004331			[3] NEW	TT AMENDED	STATE Y DISTRICT
0004001	·	REPORT	NEW OR	LI (A)	NE L
July 1:	· ·	Election on	Primary (12P) Convention (12C) -Election Report for the General (30G)	General (12G) Special (12S)	In the State of Special (308)
5. Covering Period I certify that I have e	xamined this Report and to the	2 0 0 7	through 1		2007
Signature of Treasure NOTE: Submission	of false, emeracus, or income	plate information may:	subject the person sign	Date 01	27 2008 consides of 2 U.S.C 437g.
Office Use Only		·			FEC FORM 3 (Revised 02/2003)

SUMMARY PAGE

_		FEC Form 3 (Revised 02/20	03)	011	iocothia di	to Disoursements					Page 2
W	irite (or Type Committee Name				-			-		•
<u>F</u>	riend	de of Jon Bruning			•	•					·_
R	epori	েচ :' 1 Covering the Pariod: Fro	m:	M M	01	2007		To:	M M 12	0 = 0 3 1	2007
	,				•	COLUMN A This Period	- <u>-</u>	1		COLUMN I	
6.	Net	Contributions (other than loans))								
	(a)	Total Contributions (other than loans) (from Line 1	1 (e)) .		· · · · · · · · · · · · · · · · · · ·	5671	3.90				1001608.88
	(p)	Potal Contribution Refunds (from Line 20(d))			,	22800	0.00				23200.00
	(c)	Blet Contributions (other than it (subtract Line 6(b) filter Line 6			· · · · · · · · · · · · · · · · · · ·	3391	5.90				978408.88
7.	Net	Operating Expenditures		_							
	(a)	Total Operating Expenditures (from Line 17)	**********			14412	8.77				316033.80
•	(p)	Total Offsets to Operating Expensitures (trem Line 14)		. С	g-rang-raye-r		0.00				0.00
	(c)	Net Operating Expenditures (subtract Line 7(b) from Line 7	'(a))	[·	14412	8.77				316033.80
·8.		sh on Hand at Close of parting Period (from Line 27)	*********	_ _ [····	· · · · · · · · · · · · · · · · · · ·	0.00				_
B .		bts and Obligations Owed TO									·
		Committee (Itemize all on hédule C and/6r Schedule 0)	000000 0 1 000	. [0.00				
10.		bts and Obligations Owed BY								•	
		Committee (Itemize all on hedule C. and/or Schedule D}		. ' L			0.00		•		
_							<i>, , , ,</i>				·
			•	For	further i	nformation con	tact:				
		•			999 E	ection Commiss Street, NW gton, DC 20463			•		,
		A 7			Toll Fre	e 800-424-9530 2 02- 0 94-1180					•

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 02/2003)		OT DISQUISEMENTS	Page 4		
II. DISBURSEMENTS		COLUMN A Total This Period	COLUMN B Election Cycle-to-Data		
7.	OPERATING EXPENDITURES	144128.77	316033.80		
8.	TRAISSEAS TO OTHER AUTHORIZED COMMITTEES	0.00	0.00		
9.	LOAN REPAYMENTS:				
	(a) Of Loans Made or Guaranteed by the Candidate	0.00	0.00		
	(b) Of all Other Loans	0.00	0.00		
	(c) TOTAL LOAN REPA'MENTS (add Lines 19(a) and (b))	0.00	0.00		
	REFUNDS OF CONTRIBUTIONS TO:	•			
•••	(a) Individuals/Parsons Other Than Political Committees	21800.00	22200.00		
		0.00	0.00		
	(b) Political Party Committees (c) Other Political Committees	And the second s			
	(such as PACs)	1000.00	1000.00		
	(d) TOTAL CONTINEUTION REFUNDS (add Lines 20(a), (b), und (d))	22800.00	23200.00		
21.	OTHER DISBURSEMENTS	678251.49	678251.48		
22.	TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21)	845180.26	1017485.29		
	MI. CASH SUI	MMARY			
23.	CASH ON HAND AT BEGINNING OF REPORT	ING PERIOD	782414.03		
24.	TOTAL RECEIPTS THIS PERIOD (from Line 16	3, page3}	62766.2		
25.	SUSTOTAL (add Line 25 and Line 24)	······································	845180.2		
26.	TOTAL DISBURSEMENTS THE PERIOD (Non	Line 22)	845180.2		
27.	CASH ON HAND AT CLOSE OF REPORTING (subtract Line 26 tops Line 25)	- 	0.0		

ITEMIZED DISBURSEMENTS	Use separate schedule(s) for each catagory of the Detailed Summary Page	FOR LINE (check only	one)] 17	19a 19b
Any Information copied from such Reports and S or for commercial purposes, other then using the NAME OF COMMITTEE (In Full)	itatements may not be sold or used name and address of any political	by any person committee to.	20a 20b n for the purpose of solicis contributions from	20c x 21 cliciting contributions on such committee
Friends of Jon Bruning		······································		
Full Nivne (Last, First, Middle Initial) Jon Bruning Exploratory Committee		l	Transaction ID: 80 Date of Disbursem	
Mailing Address PO Box 84614			12 31	
City	State Zip Code		Amount of Each D	isbursement this Period
Lincoln	NE 68501-		-	677251.49
Purpose of Disbursement TRANSFER TO AUTHORIZED COMMITTE	 		Refund or Disp	
Candidate Name		Category/ Type	Contributions F 11 C.F.R. 400.	Required Under
Office Sought: Hidase Dist	defreement For: 2008 X Primary General Other (specify)			
State: District:				
Full Name (Last, First, Middle talks) Friends of Erik Paulsen			Transaction ID: () Date of Disburser	
Mailing Address PO Box 44369	•		12 26	
City	State Zip Code		Amount of Each D	isbucanong this Period
Eden Prairie	MN 55344-1369			1000.00
Purpose of Distrumment CONTRIBUTION			Refund or Disc	osal of Excess
Candidate Name		Category/ Type	Contributions 11 C.F.R. 400.	Required Under 53
Office Sought: House Dis	bursement For: 2008 X Primary General Other (specify)		Contribution	
State: District:				
				·
•				
SUBTOTAL of Disbursements This Page (op	tional)			678251.49
TOTAL This Period (last page this line numb	er only))		678251.49
FESAN018			FEC Schedule	B (Form 3) (Revised 02/

EXHIBIT 10

SECRETA:	i senate
Ou FEB -4	

FEC FORM 3	AND DIS	I OF REC SBURSEN Authoritied Comm	MENTS	DU FEB -4 A	H II: 32	
				Off	ice Use Only	
1. NAME OF COMMITTEE (in	tuli) USE FEC MAIL OR TYPE OR F	.ING LABEL Exi PRINT♥: ov	mple:If typing, type or the lines			
Friends of Jon Bruning ADDRESS (number and street) PO Box 84614						
Check if diff than previous reported. (A	usly 11 kmoote		بىسىد	NE L	,68501	
2. FEC IDENTIFIC	ATION NUMBER 🔻	CITY A		STATE	ZIP CODE A	
C0043319	3	3. IS THIS REPORT	NEW OR	AMENDED (A)	STATE W DISTRICT	
July 15 Octobe	the familiary	Election on	Primary (12P) Convention (19C) ST-Election Report for (19C) General (30G)	General (120	in the State of	
Type or Print Name of Signature of Treasur	vamined this Report and to to	M	dge and belief it is true	Date 01	2 0 0 7 2 7 2 0 0 8 planefiles of 2 U.S.C 437g.	
· Office Use Only					FEC FORM 3 (Revised 02/2003)	

SUMMARY PAGE of Receipts and Disbursements

		FEC Form 8 (Revised 02/2003)						Page 2
W	rite c	or Type Committee Name						
F	iend	s of Jen Brutting		·				
R	sport	t Covering the Period: From:	10 M	01 2007	To:	12	31	2007
				COLUMN A This Period			COLUMN on Cycle-to	
	Net	Contributions (other than loans)				-	•	•
	(a)	Total Contributions (other than loans) (from Line 11(e))		56716.90	[1001608.88
	(p)	Total Contribution Refunds (from Life 26(d))	. C	22800.00			······································	23200.00
	(c)	Net Contributions (other than intens) (subtract Line 6(b) item Line 6(a))	_ [33916.90				978408.88
7.	Net	Operating Expanditures						
	(a)	Total Operating Expenditures (from Line 17)		144128.77				316033.80
	(p)	Total Offsets to Operating Expenditures (from Line 14)	. C	0.00				0.00
	(c)	Net Operating Expenditures (subtract Line 7(b) from Line 7(a))		144128.77				316033.80
B.		sh on Hand at Close of porting Period (from Line 27)	_ [0.00	1			
۸.	the	tts and Obligations Owed TO Committee (Itemize all on redule C ander Schedule D)	– . C	0.00	l			
10.	the	bts and Obligations Owed BY Committee (itemiza all on nedule C and/or Schedule D)	_ ·	0.00]		•	
	Ju	ieume o eirbur chiieume o jeeming		e ⁱ	•			
		•	Foi	r further information contact:	•			
				Federal Election Commission 999 E Street, NW Washington, DC 20463		•		,
		A 7		Toli Free 800-424-9530 Local 202-694-1160				•

DETAILED SUMMARY PAGE of Disbursements

	FEC Form 3 (Revised 02/2003)	of Disbursements	Page 4	
II. DISBURSEMENTS		COLUMN A Total This Rariod	COLUMN B Election Cycle-to-Date	
,	OPERATING EXPENDITURES	144128.77	316033.80	
_	OFERNING EXPERDITOREG	Interferent contract tractice of contract tractice from		
В.	TRANSPERS TO OTHER AUTHORIZED COMMITTEES	0.00	0.00	
9.	LOAN REPAYMENTS:		·	
	(a) Of Loans Made or Guaranteed by the Candidate	0.00	0.00	
		0.00	0.00	
	(b) Of all Other Losins			
	(add Lines 19(a) and (b))	0.00	0.00	
).	REFUNDS OF CONTRIBUTIONS TO:	•		
	(a) Individuals/Persons Other Then Political Committees	21800.00	22200.00	
	I nan Politica Committaes			
	(b) Political Party Committees	0.00	0.00	
	(c) Other Political Committees (such as PACs)	1000.00	1000.00	
	•			
	(d) TOTAL CONVMIBUTION REPUNDS (add Lines 20(a), (b), and (c))	22800.00	23200.00	
_				
1.	OTHER DISBURSEMENTS	678251.49	678251.4	
2.	TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21)	B45180.26	1017485.2	
	. III. CASH S	UMMARY		
3.	CASH ON HAND AT BEGINNING OF REPOR	RTING PERIOD	782414.0	
M.	TOTAL RECEIPTS THIS PERIOD (from Line	Hf., pags3)	62766.2	
. 5.	SUBTOTAL (add Line 25 and Line 24)		845180.2	
26.	TOTAL DIBEURSEMENTS THIS PERIOD (In	om Line 22)	845180.2	
27.	CASH ON HAND AT CLOSE OF REPORTIN	IG PERIOD	hambar mindret and	
	(subtreat Line 28 from Line 25)		0.0	

n _	CHEDULE B (EMIZED DISE	BURSEMENT	S Use se for each Detailed	parate schedule(s) n category of the d Summary Page	(check onl	17 18 20a 20			
OI OI	ry information copies for commercial purpo	rom such Heports a ses, other than usin	ing Statements ma g the name and ad	y not be sold or us dress of any politic	cal committee to	n for the purpos solicit contributi	e of soliciting contributions ions from such committee		
	NAME OF COMMIT Friends of Jon Br	• •			4: " ******				
A.	Full Name (Last, Fir Ash Grove Ceme	-				Date of Dieby			
	Mailing Address	John Woodfill PO Box 25900	•			12"	20 2007		
	City Overland Park		State KS	Zlp Code 66225-5900		Amount of E	ach Disbursement this Pariod		
	Purpose of Disburse Refund of Contribut	ement ion Refund of Contri	b		910_	1000.0 Refund or Disposal of Excess			
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EXHIBIT 11

FEC FORM 2 STATEMENT OF CANDIDACY

SECRETARY OF THE SENATE

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١.	High Numer Conflicts (in hit) Jon G. Bruning	· · · · · · · · · · · · · · · · · · ·			
•	P.O. Box 83950.	Check If address	changed	2. Identification featible	·
	(c) City State, and 21P Code Lincoln, NE 68501		•	Statement 2	New Amended (A)
4.	Perty Athliation REP	5. Office Sought Senate	e. Swip & Dist Nebras	rict of Candidate KB	
7.	I hereby designate the following no		Principal Campaign Com		
	NOTE: This designation should be: (a) Name of Committee (in full)	filed with the appropriate office	listed in the instructions.		
	• .		•		
	Bruning for Senate I	ncorperated			•
	(b) Address (mumber and skied)				·
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EXHIBIT 12

\$...

Bruning for Senate, Incorporated P.O. Box 83956 Lincoln, NE 68501

SECRETARY OF THE SENATE

January 3, 2010

Secretary of the Senate Office of Public Records 232 Hart Senate Office Building Washington, DC 20510-7116

Madam Secretary:

Enclosed is FEC Form 1, Statement of Organization for Bruning for Senate, and FEC Form 2, Statement of Candidacy. We have enclosed a return envelope for your use in providing us with two date stamped copies of the forms.

Thank you for your attention to this matter.

Sincerely,

Doughter (2

Treasurer, Bruning for Senate

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FEC Form 1 (Florised 02/2009) Page 2
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(A) This committee is a principal campaign committee. (Complete the candidate information below.)
(b) Into committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)
Name of Candidate (Ion C. Bruning.
Candidate Office House Senate President District
(c) This committee supports/opposes only one candidate, and is NOT an authorized committee.
Name of Gundidale
Party Committee:
(d) This committee is a familiary or subordinate) committee of the Republican, etc.) Persy.
Political Action Committee (PAC):
(II) This committee is a separate segregated Naid. (Identify connected argentation on like &) its connected argentation is a:
Corporation w/o Capital Stock Labor Organization
Memberskip Organization I Tuple Association Composition
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(f) This committee supports/opposes more than one Fettite) candidate, and is NOT a separate suggested fund or party committee, (i.e., noncommented committee)
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in addition, this committee is a Leadership PAC. (Identity appreprien line 6.)
Joint Fundralaing Representative:
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(h) This committee collects contributions, pays fundralking degrates and distrustes not proceeds for two or more political
committees/organizations, none of which is an authorized committee of a federal candidate.
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Mark	Pedersen		
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Pull Name Mark	Pedersen P.O. Box 83950	NE 68501,	
Pull Name Mark Mailing Address	Pedersen P.O. Box 83950 Lincoln cary	NE 68501,	
Pull Name Mark Mailing Address Title or Position Assistant Treasur	Pedersen [P.O. Box 83950 [Lincoln CITY Ef	NE 68501, STATE 2	
Pull Name Mark Mailing Address Title or Position Assistant Treasur Treasurer: List the name any designated agent (e.4)	Pederaen P.O. Box 83950 Lincoln CITY El Telep and address (phone number – optional) of the inequal assistant inequality.	NE 68501, STATE 2	
Mailing Address Title or Position Assistant Treasur Treasurer: List the name any dealgrated agent (e.4)	Pederaen P.O. Box 83950 Lincoln CITY Relatives (phone number – optional) of the treesure.	NE 68501, STATE 2	
Mailing Address Title or Position Assistant Treasur Treasurer: List the name any dealgrated agent (e.4) Put Name of Treasurer Doug	P.O. Box 83950 Lincoln CITY CITY Relatives (phone number – optional) of the treasurer). [2. P.O. Box 83950	STATE 2000000000000000000000000000000000000	
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	Lincoln OITY	STOUTE STOUTE	21P CODE
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